

**DOCKET NO. ACOU01-00003**  
**Customer No. 23990**

**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of:           Craig N. Janssen

Serial No.:                   10/743,204

Filed:                        December 22, 2003

For:                         SYSTEM AND METHOD FOR GENERATING MULTI-PHASE  
CONSTRUCTION PLANS

Group No.:                  3628

Examiner:                  Freda Ann Nelson

Confirmation No.:          6875

**MAIL STOP AMENDMENT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**SUBSTITUTE AMENDMENT AND RESPONSE TO OFFICE ACTION**

This communication is a substitute response for the Amendment and Response to Office Action filed on January 21, 2009, in response to an Office Action dated July 18, 2008, which had a shortened statutory period for reply set to expire on October 18, 2008. A petition for a three month extension of time was submitted therewith to extend the period for reply to January 18, 2009. As January 18, 2009, was a Sunday and the United States Patent and Trademark Office was closed on January 19, 2009, and January 20, 2009, the Amendment and Response to Office Action filed on January 21, 2009, was timely filed.

This communication is filed in response to a Notice of Non-Compliant Amendment mailed May 5, 2009. As the Amendment and Response to Office Action filed on January 21, 2009, was a non-final amendment, the Notice of Non-Compliant Amendment has a period for reply set to expire on June 5, 2009.

Please amend the application as follows.